



City of
Rockville
Get Into It

Planning Commission Staff Report: Site Plan Application STP2012-00112, 1900 Chapman Ave

MEETING DATE: July 11, 2012

REPORT DATE: July 3, 2012

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APPLICATION DESCRIPTION: Proposes to replace the former 2-story, 70,000 square foot former Syms clothing store building with 2 residential buildings. It includes 658 rental apartments, 5,152 square feet of office uses and 790 parking spaces.

APPLICANT: Matt Hurson and Rob Stewart
1900 Chapman Project Owner, LLC
555 13th Street, N.W., Suite 102
Washington, DC 20004

FILING DATE: December 22, 2011

RECOMMENDATION: Approval, subject to recommended conditions and based on the findings stated within the staff report. In a separate action, approval of a waiver to allow six above ground transformers located behind Building I.

EXECUTIVE SUMMARY: The applicant has submitted an application for a Level 2 Site Plan pursuant to Section 25.07.05 of the Zoning Ordinance. The 5.29 acre property is located in the MXTD (Mixed Use Transit District) Zone. Construction is proposed in 2 phases but, once complete, will contain multi-unit residential dwellings, first floor office use and amenity space, and associated parking. The Planning Commission must review the Level 2 Site Plan at a public meeting and provide an opportunity for the public to comment. Action on the application is subject to the findings of Section 25.07.01.a.3(a), as outlined in this report.

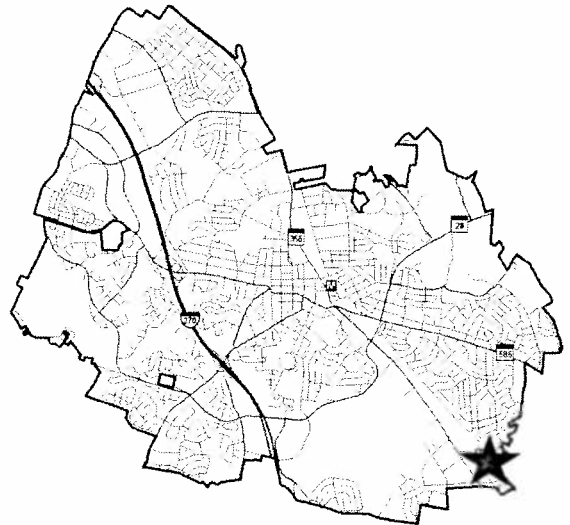


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RECOMMENDATION

Approval, subject to the conditions noted on pages 21 through 24.

SITE DESCRIPTION

The site is made up of a 5.29 acre property that is surrounded by Twinbrook Parkway to the south, Chapman Avenue to the west and Thompson Avenue to the north. To the east, the fourth side, also the rear property line, borders the Metro and CSX railroad tracks. Chapman Avenue constitutes the primary frontage for the property but vehicular access to the site is also provided via Thompson Avenue. Vehicular access is not possible from Twinbrook Parkway due to the significant grade change between Twinbrook Parkway to the site and because of an intervening residue parcel located between the roadway and the site. Existing development on the property consists of a single, two-story, 70,000 square foot retail building and a 371 space surface parking lot, which covers approximately eighty percent of the lot.

Location: 1900 Chapman Avenue, Rockville, Maryland (see Attachment #1)

Applicant: Matt Hurson and Rob Stewart
1900 Chapman Project Owner, LLC
555 13th Street, N.W., Suite 102
Washington, DC 20004

Land Use Designation: Rockville Pike Corridor Mixed Use Development (see Attachment #2)

Zoning District: Mixed-Use Transit District (see Attachment #3)

Existing Use: Two-story, 70,000 square foot retail building with 371 surface parking spaces.

Parcel Area: 5.29 acres

Subdivision: Lot 14, Block 5, Halpine

Building Floor Area: Building I/Phase I – 319,791 square feet. Building II/Phase II – 335,430 square feet.
For a total of 660,373 square feet of gross floor area.

Dwelling Units: 658 units – 61 efficiencies, 48 junior one bedrooms, 285 one bedrooms, 37 one bedroom with den, 206 two bedroom and 22 three bedroom.

Building Height: Chapman Avenue frontage - Building I, 74.2 feet. Building II, 72.1 feet.

Parking: 778 structured parking spaces, 12 surface parking spaces along the interior service drive/alley.

Vicinity

The subject property is located on Chapman Avenue, adjacent to Twinbrook Parkway. The Twinbrook Metro Station and the Twinbrook Commons mixed-use development are located to the northeast as well as an older, vacant industrial building. An office building that houses the Indian Health Service, the property at 1800 Rockville Pike (recently approved for redevelopment) and an office building located at 12300 Twinbrook Parkway are located to the south/southwest. A mix of industrial buildings and an office building are located to the north and northeast on properties that are located outside of the City limits across the Metro/CSX tracks. Retail establishments are located to the south in a small strip center and a stand-alone retail/warehouse building (the Guitar Center). Less than a block to the south, is the City limit line. Farther south, in the County, the area is improved with a mix of retail and multifamily residential uses.

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	PD-TC, Planned Development – Twinbrook Commons	Rockville Pike Corridor Mixed-Use Development	Twinbrook Metro Station and the Twinbrook Station development.
East	County TMX-2 Zoning	City Planned Land Use Map – Restricted Industrial/Office Park and Service Industrial	Mixed industrial type uses and office.
South	MXCD, Mixed-Use Corridor District	Rockville Pike Corridor Mixed-Use Development	Retail
West	MXCD, Mixed-Use Corridor District	Rockville Pike Corridor Mixed-Use Development	Office and retail, also approved for multi-family residential with ground floor retail.

PROJECT DESCRIPTION

Section 25.07.02 of the Zoning Ordinance provides for a point system to determine the level of review for development projects. Included in the elements considered in the point system are the size of the tract, number of dwelling units, square footage of non-residential space, traffic impact (net new peak hour trips), and the proximity of established residential areas. The Site Plan process is defined in the Zoning Ordinance as:

The development plan for one (1) or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, and waterways; landscaping and open spaces; walkways, vehicle circulation,

parking and loading areas; historic and archaeological resources; utility services; structures and buildings; signs, exterior lighting; buffers and screening; surrounding development; and any other information that reasonably may be required by the Approving Authority.

As calculated by the applicant and confirmed by staff, the point total for this application came to 15 points. Applications totaling anywhere from 7 to 15 points are processed as Level 2 Site Plans, requiring Planning Commission review and action.

Previous Related Actions

- May 23, 2011 - Pre-Application Submitted
- June 7, 2011 - Pre-Application Area Meeting Held
- June 16, 2011 - Pre-Application (DRC) Meeting Held
- September 22, 2012 – Pre-Application (DRC) Held, to discuss major revisions to the Application.
- December 22, 2011 - Site Plan Application Submitted
- January 12, 2012 - Post Application Area Meeting Held
- January 12, 2012 and May 17, 2012 - DRC Meeting by Staff Held
- January 19, 2012 and May 24, 2012 - DRC Meeting with the Applicant Held
- March 27, 2012 – Review by Traffic and Transportation Commission

Proposal

The property, surrounded by Twinbrook Parkway, Chapman Avenue, Thompson Avenue and the CSX and Metrorail tracks, is currently developed with a two story, 70,000 square foot retail building with a 371 space surface parking lot that covers most of the site. The development proposal includes plans to redevelop the property with two buildings designed for mostly multiple unit residential dwellings (apartments). Three hundred nineteen residential units, 3,731 square feet of amenity space, a 1,443 square foot leasing office and 5,152 square feet of office use are proposed in the westernmost building (Building I). Building II is proposed to contain 339 residential units. To provide light and air to the interior apartments, four courtyards are proposed, two within each building. Each building will have its own pool within one of the courtyards and the other will include passive outdoor amenity space. A private service drive/roadway separates the two buildings, connecting the dead end of Thompson Avenue to Chapman Avenue. Sidewalks and trees are proposed along the interior roadway as well as 12 surface parking spaces and a drop off lane near the distinctive main entrance to Building I. A meandering path weaves through the heavily planted park-like area proposed behind Building II. Six above-ground transformers are proposed behind Building I. An enclosure has been designed to completely obscure them from view. It consists of a wall and gate system with supplemental landscaping to not only soften the structure but also to help obscure the transformers.

Each building is designed with three levels of structured parking. Adequate parking is provided within each building to allow it to independently meet the parking requirements. Limited nonresidential space is initially being proposed on the first floors of the buildings based on current market demands. The Building I will contain 5,152 square feet of office use tenant space on the first floor, while Building II will contain street level residential amenity space. The first floors will be built-out with high ceilings. The apartments being proposed on the first floor will therefore have ceiling heights that will accommodate possible future nonresidential uses adjacent to Chapman Avenue. The first floor residential apartments will have access directly from the adjacent sidewalks. To form a relationship between the sidewalk and the apartments, landscaped stoops are being proposed leading to the doorways.

Development is proposed in two phases. The westernmost building is proposed to be constructed first. As part of the phasing, a 27 space parking lot is proposed where Building II will eventually be constructed in order to accommodate construction and leasing of Building I.

PROJECT ANALYSIS

Master Plan

Land Use Map

The City's Planned Land Use Map (see **Attachment #2**) includes the property within the Rockville Pike Corridor Mixed-Use Development District. The properties located to the northeast and east are located within the County's jurisdiction but they are classified as Restricted Industrial/Office Park and Service Industrial on the City's Planned Land Use Map. Other than those properties, all the others surrounding the subject property are located within the City of Rockville and are located in the Rockville Pike Corridor Mixed-Use District.

Master Plan Compliance

The property is included in the 2002 approved and adopted City of Rockville Comprehensive Master Plan (as Planning Area 9, Rockville Pike Corridor). It is also included in the 1989 Rockville Pike Corridor Neighborhood Plan. The resulting rezoning placed the property in the RPC (Rockville Pike Corridor) Zone and within the Twinbrook Metro Performance District. Both Plans evaluated the issues and recommend very similar goals. The Pike Plan however is much more detailed and was adopted as part of the Comprehensive Master Plan. It contains guidelines for both base development as well as for the Optional Method of Development, where higher density was permitted when the application met the higher standards outlined in the Pike Plan as well as the Rockville Pike Corridor Article in the Zoning Ordinance. Since 2009, the property has been located in the MXTD, Mixed-Use Transit District Zone. When the MXTD Zone was

implemented, most of the recommendations contained in the Plans were incorporated in the Zoning Ordinance as requirements. Another advantage of the rezoning of the area to the MXTD Zone was that the properties now have specific requirements related to the zone.

The 1989 Rockville Pike Corridor Neighborhood Plan is still in effect, regardless of the zoning classification change. One area has been identified as meeting the zoning standards but requiring attention as part of the review based on the Pike Plan. This is the recommendations related to the placement of support retail and other nonresidential uses adjacent to pedestrian ways.

The Pike Plan suggests placing uses on the ground floor of buildings that generate a high level of pedestrian activity. The uses mentioned include “retail stores, restaurants, sidewalk cafes, kiosks, and other services which generate interest and enliven the streetscape.” The application is not proposing any of these uses at this time. It does propose to construct the spaces with ceiling heights that can accommodate nonresidential uses but is proposing to instead install residential apartments, 5,152 square feet of office and residential amenity space as part of the initial build-out on the first floor. The reason stated for this substitution is that there is currently no market for these types of uses as envisioned in this location.

Staff tends to concur with the applicant’s proposal to not build-out the ground floor with convenience retail uses at this time. This is based on the long term vacancies that appear to exist within similar developments located farther south along Rockville Pike within the County’s jurisdiction. Staff concludes that the ground floor apartments, with their stoops and landscaping, establish an interesting relationship to the pedestrian ways adjacent to them, especially along Chapman Avenue, resulting in an enlivened street scape desired by the Pike Plan.

Infrastructure/ Adequate Public Facilities Standards (APFS)

Roads and Transportation

Based on the applicant’s completion of the Comprehensive Transportation Review (CTR), the project will generate a new net 166 AM, -179 PM and -363 Saturday peak hour auto trips. It should be noted that since there was a negative number of new trips generated for Saturday, analysis was not needed for this day. The proposed project will require the applicant to complete mitigation at one intersection, Rockville Pike (MD355) and Twinbrook Parkway. Plans for this mitigation are required prior to the issuance of a building permit, while construction of the mitigation is required prior to the issuance of

an occupancy permit for the second building. When mitigation is completed, the intersection will operate within the City's CTR thresholds.

Water and Sewer

Existing City water and sewer mains are located along the property frontage on Chapman Avenue. The City water system has adequate water supply to meet the demand created by the proposed development. However, modeling of the water system has determined that the existing water system does not provide the required fire-flow to serve the proposed development. For sewer capacity, the Blue Plains Treatment Plant has adequate treatment capacity for the proposed development. However, modeling of the City's sewerage transmission mains in the Rock Creek Sewershed indicates that certain segments do not have adequate capacity to serve the proposed development. Therefore, the Applicant will be required to mitigate all water and sewer deficiencies, as identified in the Water and Sewer Authorization Letter dated June 18, 2012 (see **Attachment #5**).

Schools

The property is served by Farmland Elementary School, Tilden Middle School, and Walter Johnson High School.

The subject application proposes 658 multifamily units. The numbers included in the chart also reflect all approved projects in the school clusters, (see **Attachment #6**) regardless of whether they are located in the City or the County.

Consistent with the requirements of the City's AFPS, the following chart was created to illustrate the potential impact this project may have upon school capacity. It includes the actual enrollment numbers and projections as of July 1, 2012 as well as all of the approved but unbuilt development in both the City and the County. Within the chart, the number of units is multiplied by the yield factor (the likely percentage of students living in high-rise multi-unit dwelling buildings) to determine the likely number of students the project will generate.

	School	Calculation*	New % Utilization
Year 1 2013-14	Farmland Elementary School	667 + 64 + 28 = 759 759 divided by 716 =	106%
	Tilden Middle School	745 + 126 + 26 = 897 897 divided by 984 =	91%
	Walter Johnson High School	2273 + 157 + 22 = 2452 2452 divided by 2292 =	107%
Year 2 2014-15	Farmland Elementary School	655 + 64 + 28 = 747 747 divided by 716 =	104%
	Tilden Middle School	795 + 126 + 26 = 947 947 divided by 984 =	96%
	Walter Johnson High School	2270 + 157 + 22 = 2449 2449 divided by 2292 =	107%

The calculations show that there is adequate school capacity for this project since each school level is below the 110% utilization maximum for both test years (2012-13 and 2013-14).

Fire and Emergency Service

No significant impacts on emergency services are anticipated as a result of this project. The Rockville Volunteer Fire Department provides fire protection and emergency response. Rockville does not provide this service as part of the municipal government. Of the two fire stations in Rockville, Station 23 on Rollins Avenue serves this area, although the other station on Hungerford Drive in Rockville is available to supplement service. None of the uses proposed with this mixed-use project are considered high risk and do not require full response from three stations within 10 minutes.

Transportation and Circulation

Parking

The application proposes to install a total of 790 parking spaces on the site. Twelve (12) surface parking spaces are provided along the service drive dividing the two buildings on the site and connecting Thompson Avenue through the site to Chapman Avenue. The other 778 parking spaces are located within three levels of structured parking within both buildings. The total number of parking spaces provided is in compliance with the parking regulations contained in the Zoning Ordinance.

Access

The proposal includes access from Chapman Avenue and Thompson Avenues. Surface parallel parking will be provided along the private service drive/roadway between proposed Buildings I and II, along Chapman Avenue north of the private service drive/alley, and along Thompson Avenue. Vehicles will access the garage of Building I from two access points along Thompson Avenue. The garage access to Building II will be provided from the private roadway. The private service drive/roadway will be accessed from Thompson Avenue and Chapman Avenue and encumbered with an access easement for public use.

Traffic

The applicant completed an analysis that included examining the vehicular traffic operations, pedestrian and bicyclist safety, and transit facilities. The applicant was required to study typical AM PM commuter peak hours at the 8 (eight) intersections listed below:

1. Rockville Pike and Congressional Lane
2. Rockville Pike and Halpine Road
3. Rockville Pike and Twinbrook Parkway/Rollins Avenue
4. Rockville Pike and Bou Avenue
5. Twinbrook Parkway and Chapman Avenue
6. Chapman Avenue and Bou Avenue
7. Chapman Avenue and Thompson Avenue
8. Twinbrook Parkway and Parklawn Drive

These intersections were studied for intersection capacity and traffic volumes using three different scenarios (1) existing year traffic conditions; (2) background traffic conditions; and (3) 2016 total future traffic conditions at the project completion. A one (1) percent annual growth rate along Rockville Pike and Twinbrook Parkway was calculated. Intersection capacity analyses were conducted utilizing the Critical Lane Volume (CLV) method as required per the Comprehensive Transportation Report (CTR) Methodology.

The applicant's Transportation Report shows that four of the intersections are operating at acceptable levels during the AM and PM commuter peak hours with the existing and background traffic volumes of the study area intersections. Two intersections located within the City limits, Rockville Pike and Twinbrook Parkway/Rollins Avenue and Twinbrook Parkway and Chapman Avenue and two located outside the City limits, at

Rockville Pike and Bou Avenue and Twinbrook Parkway and Parklawn Drive, will exceed capacity during the PM commuter peak hours with background traffic added.

The Transportation Report was submitted in accordance with the City's Comprehensive Transportation Review (CTR) requirements (see **Attachment #8**) for net new development that generates more than 30 peak hour trips. Based on the uses proposed, the project will generate 166 additional AM trips and, 179 fewer PM and 363 fewer Saturday peak hour auto trips than the current uses. The applicant was required to study 8 existing intersections and one proposed access point to the site during the AM and PM commuter peak hours. Study of the Saturday peak hour was not required as there is a net negative number of trips compared to the previous use of the site. The applicant's Transportation Report shows that 7 out of the 8 intersections studied would continue to operate at acceptable levels of service during the AM and PM peak hours. As concluded, the Rockville Pike (MD355) and Twinbrook Parkway/Rollins Avenue intersection needs mitigation in order to operate at the City's acceptable CTR threshold. Mitigation for the intersection is listed below.

- At the intersection of Rockville Pike (MD355) and Twinbrook Parkway, a right turn lane will need to be added along westbound Twinbrook Parkway for turning onto northbound Rockville Pike. Additionally, a five-foot wide sidewalk will need to be reconstructed.

Mitigation for the Rockville Pike (MD355) and Twinbrook Parkway/Rollins Avenue intersection is required to be completed prior to issuance of the first Occupancy Permit for any use or tenant in the building. The chart below shows the results of the required mitigation.

Intersection	Measure of Performance	Existing		Background		Total Future		With Improvements	
	CLV LOS V/C Ratio	AM	PM	AM	PM	AM	PM	AM	PM
Rockville Pike (MD 355) and Twinbrook Pkwy	CLV	954	1179	1224	1858	1224	1865	1224	1638
	LOS	A	C	C	F	C	F	c	E
	V/C Ratio	0.58	0.71	0.74	1.13	0.74	1.13	0.74	0.99

Thompson Avenue

Thompson Avenue, east of Chapman Avenue, abruptly ends at the railroad tracks. The treatment of the road ending does not meet the requirements specified in Rockville's City Code Section 21-27(a) which states: "No road in the corporate limits of the City shall be constructed unless it connects or joins with an existing street in the corporate limits of the City at each end of the road, or ends in a cul-de-sac." Since Thompson Avenue

does not end in a cul-de-sac, it must connect with a street in order to meet the requirements specified in the City Code. To meet this requirement with the redevelopment of this site, the applicant is constructing a private road to the "service drive" standard with an easement placed over it from the Thompson Avenue dead end to Chapman Avenue. The City Code service drive road standard requires a minimum paving section of twenty (20) feet in width and a sidewalk built between the building and the service drive. The applicant will provide a 40-foot wide pavement section and seven foot wide sidewalks between the two buildings. Behind Building I, the service drive will consist of two 12 foot wide travel lanes and one six foot wide sidewalk between the building and the service drive. This service drive as designed with a public access easement will place Thompson Avenue in compliance with the City Code.

Bicycle/Pedestrian Access

The applicant is providing pedestrian access to and through the site. A 10 foot wide sidewalk along Chapman Avenue and a 6 foot wide sidewalk along Thompson Avenue is being required. In addition, sidewalks will run adjacent to the service drive and connect the buildings to the street frontages along Chapman and Thompson Avenues.

In order to comply with the bicycle parking standards, the applicant shall provide long-term (bicycle lockers) storage and short-term (bicycle racks) storage for the two buildings as follows

- a. Building I: 55 bicycle lockers (110 long-term spaces) and 4 bicycle racks (8 short-term spaces); and
- b. Building II: 57 bicycle lockers (114 long-term spaces) and 4 bicycle racks (8 short term spaces).

A locked and covered bicycle room with racks or a bicycle locker is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location approved by DPW during the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the Occupancy Permit.

The CTR requires developments that generate 30 or more trips to pay a Transportation Improvement Fee. The one-time fee is \$1.50 per square floor of gross floor area or \$900 per unit of multi-unit residential development. The fee will be used to implement multimodal improvements throughout the City of Rockville, to provide transportation information and services to employers and commuters in Rockville, and to monitor employer Trip Reduction Plans to ensure compliance with trip reduction goals.

Transit

The site is located approximately 450 feet south of the Twinbrook Metrorail Station and served by Montgomery County Ride On bus route 26. Ride On route 26 operates along Chapman Avenue with approximately 30-minute headways. A bus stop exists on the northeast corner of the property.

There are also more than three bus routes (2 Metro Bus routes and 7 Ride-On bus routes) in the immediate vicinity of the project. In this area, the buses provide the connectivity to a wide area both to and from the Metro station.

Traffic and Transportation Commission

The project was presented by the applicant to the Traffic and Transportation Commission on March 27, 2012. Following the presentation, the Commission made a motion to recommend approval to the Planning Commission, subject to the recommendations included in a letter dated May 22, 2012 (**see Attachment #7**).

Historic Resources

The site has been reviewed by the Historic District Commission staff as part of the Natural Resources Inventory/Forest Stand Delineation approval. The site is not in a historic or landmark district and there is no indication that the site, or existing buildings, would be considered for historic designation.

Environment

Environmental Guidelines

There are no streams, wetlands or floodplain on-site, nor any significant forest areas.

Forest and Tree Preservation Ordinance (FTPO)

The Preliminary Forest Conservation Plan (Pre FCP) for 1900 Chapman Avenue was approved on June 20, 2012 (**see Attachment #8**) and is consistent with the site plan, landscape plan and stormwater concept plan submissions.

The 5.29-acre site is required to comply with all of the Forest and Tree Preservation Ordinance requirements including forest conservation, significant tree replacement and minimum tree cover. Furthermore, the majority of the existing trees on the property are subject to a previously recorded Forest Conservation Easement (FCE) from when the Syms building was constructed under approved FCP application FTP95-00007. In

accordance with this easement, the project is replacing all of forest conservation credit received from the existing trees with newly planted trees.

This urban site does not contain any forest; however, there are numerous trees within the existing parking lot and surrounding the site along the CSX tracks and the Twinbrook Parkway property line. Street trees are located on both Thompson and Chapman Avenues.

Forest Conservation

Since the site is subject to a previously recorded FCE for which the Syms development met all of the required forest conservation on site, this project will replace all of the trees previously used to meet forest conservation on site. The forest conservation provided by the existing trees is 35,200 s.f. The project will plant 46 shade trees at 400 s.f. of credit each (18,400 s.f.), 19 large evergreen trees at 400 s.f. of credit each (7,600 s.f.) and 47 ornamental trees at 200 s.f. of credit each (9,400 s.f.). The total forest conservation credit provided is 35,400 s.f.

Minimum Tree Cover

The Minimum Tree Cover requirement for the MXTD zone is 10% or 23,043 sq. ft. The project will exceed the requirement through the planting of close to 200 trees on site.

Significant Trees

Significant trees are defined as trees having a diameter at breast height (DBH) of 12" and greater outside of forest or 24" DBH and greater when located within forest. The project will remove one significant tree in addition to 15 existing trees that were planted for significant tree placement under the previously approved FCP. The total replacement tree requirement is 16 trees, all of which will be planted within the site.

Street Trees

The project will remove and replace street trees along both Thompson and Chapman Avenues. The tree locations will be determined during Final FCP and detailed engineering review. The street tree types will be in accordance with the City's Street Tree Master Plan.

Landscaping, Screening and Lighting Manual

A landscape plan will be required to supplement the Forest Conservation Plan as part of the requirements of the Zoning Ordinance. There are no applicable additional requirements associated with the Landscaping, Screening and Lighting Manual. No parking lot screening is required as part of this application. A lighting plan including photometrics will need to be approved and this requirement is included as a condition of approval.

Noise

The only noise anticipated to be generated by this use would come from the trucks associated with the retail and restaurant uses, trucks associated with the move-in and move-out of the residential tenants and garbage trucks. In an effort to head off any noises associated with trucks, a condition is being proposed that limits trucks within the service and loading area to between 9:00 p.m. and 7:00 a.m. Monday through Friday and between 9:00 p.m. and 9:00 a.m. on Saturday, Sundays and federal holidays.

Water and Sewer

Existing City water and sewer mains are located along the property frontage on Chapman Avenue. Water service for the project will be provided by connecting to the existing water main in Chapman Avenue with two separate connections. One connection is for Building I and the second is for Building II. Sewer service for the project will also be provided through two separate connections to the existing sewer main in Chapman Avenue. One connection is for Building I and the second is for Building II.

The City water system has adequate water supply to meet the demand created by the proposed development. However, modeling of the water system has determined that the existing water system does not provide the required fire-flow to serve the proposed development. For sewer capacity, the Blue Plains Treatment Plant has adequate treatment capacity for the proposed development. However, modeling of the City's sewerage transmission mains in the Rock Creek Sewershed indicates that certain segments do not have adequate capacity to serve the proposed development. Therefore, the Applicant will be required to mitigate all water and sewer deficiencies, as identified in the Water and Sewer Authorization Letter dated June 18, 2012 (**see Attachment #5**). Mitigation measures will be reviewed and approved by DPW staff as part of detailed engineering. These water and sewer plans must be approved before Building Permits are issued.

Stormwater Management

Stormwater Management (SWM) for this project will be provided in compliance with the Development SWM Concept approval dated June 12, 2012 (see **Attachment #9**). Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP) is provided through fifteen micro-bioretenment facilities. A structural measure with a water quality inlet and underground storage via a pipe system provides treatment and compensation for the impervious areas that are not treated by ESD measures. SWM for the remainder of the site and the portion of the adjacent rights-of-way subject to SWM is provided via SWM Alternatives.

Green Building

Article XIV (Green Building Regulations) of Chapter 5 (Buildings and Building Regulations) of the City Code, requires that new buildings achieve 25 points with at least 5 points earned from the list of Rockville priority credits. The applicant has submitted the required City of Rockville Commercial Green Building Checklist for New Construction and Major Renovations, based on the Leadership in Energy and Environmental Design (LEED) 2009 rating system. The applicant plans to attempt 44 points, which includes 11 Rockville Priority Points. Staff has reviewed all supporting documents for those points classified as Development Plan Review Phase to verify that all requirements are being attempted to be met. The remaining credits will be verified as part the Construction Plan Review.

The applicant's points will come from:

Points	Credit	Credit Name
1	SS Credit 1	Site Selection
5	SS Credit 2	Development Density and Community Connectivity
1	SS Credit 3	Brownfield Redevelopment
6	SS Credit 4.1	Alternative Transportation – Public Transportation Access
3	SS Credit 4.3	Alternative Transportation – Low Emission and Fuel Efficient Vehicles
1	SS Credit 5.2	Site Development, Maximize Open Space
1*	SS Credit 6.2	Stormwater Design, Quality Control
1*	SS Credit 7.1*	Heat island Effect – Non-Roof*
1*	SS Credit 7.2*	Heat island Effect – Roof*
2*	WE Credit 3.1*	Water Use Reduction, 30% Reduction*
1*	EA Credit 1.1*	Optimize Energy Performance, 12% new, 8% existing*
1*	EA Credit 1.2	Optimize Energy Performance, 14% new, 10% existing*
1*	EA Credit 1.3	Optimize Energy Performance, 16% new, 12% existing*
1*	EA Credit 1.4	Optimize Energy Performance, 18% new, 14% existing*
1*	MR Credit 2.1*	Construction Waste Management, Divert 50% From Disposal*
1*	MR Credit 2.2	Construction Waste Management, divert 76% From Disposal*
1	MR Credit 4.1	Recycled Content, 10% (post-consumer + ½ pre-consumer)
1	MR Credit 5.1	Regional Materials, 10% Extracted, Processed & Manufactured
1	MR Credit 5.2	Regional Materials, 20% Extracted, Processed & Manufactured
1	IEQ Credit 3.1	Construction IAQ Management Plan, During Construction
1	IEQ Credit 4.1	Low-Emitting Materials – Adhesives and Sealants
1	IEQ Credit 4.2	Low-Emitting Materials – Paints & Coatings
1	IEQ Credit 4.3	Low-Emitting Materials - Flooring Systems
1	IEQ Credit 5	Indoor Chemical and Pollutant Source Control
1	IEQ Credit 6.1	Controllability of Systems - Lighting
1	IEQ Credit 6.2	Controllability of Systems – Thermal Comfort
1	IEQ Credit 7.1	Thermal Comfort - Design
1	IEQ Credit 7.2	Thermal Comfort - Verification
1	IEQ Credit 8.1	Daylight Views, Daylight 75% of spaces
1	ID Credit 1.2	Innovation in Design, Low Mercury Lighting
1	ID Credit 1.3	Innovation in Design, Building Education
1	ID Credit 2	LEEP Accredited Professional
1	RP Credit 1.4	Regional Priority Credit: MRc2 (50%)
44	Total	*=Rockville Priority Credits (11)

Zoning Ordinance Compliance

The subject property is zoned MXTD (Mixed-Use Transit District), which allows the proposed mixture of uses. The purpose of the MXTD zone is for locations in areas near Metro stations, allowing for high-density development of retail, office, and residential uses consistent with the recommendations of the Plan. The proposed development meets the purpose and requirements of the zone as detailed below.

Zone MXTD	Maximum Height	Open Area and Public Use Space		Minimum width at front lot line
		Total Open Area	Public Use Space	
Required	120'*	15%	10%	10'
Proposed	Building I, 74.2'. Building II, 72.1'.	19%	10%	This property has 2 fronts. The narrowest (along Thompson Avenue) is over 361 feet wide.

Setbacks				
Public Right-of- Way Abutting	Side		Rear	
	Residential Land Abutting	Non-Residential Land Abutting	Residential Land Abutting	Non-Residential Land Abutting
None	25' or height of building, whichever is greater	None. 10' min. if provided	25' or height of building, whichever is greater	None. 10' min. if provided
Chapman Avenue Building I, 10.5' Buidlign II 13.5' Thompson Avenue 11.72'-14.64'	n/a	Varies 10' minimum.	n/a	Varies. 50' minimum.

*Height is subject to the provisions of Section 25.13.05.

In the MXTD Zone building facades with a range of height of between 45 feet and 65 feet at the street are encouraged. Additional height up to 120 feet at the street may be allowed where recommended by the Plan or where approved by the Mayor and Council as part of a Project Plan under Section 25.07.07. Building facades that exceed 250 feet in length should vary the façade height by at least ten feet for some distance along the length of the façade in order to avoid a monotonous, monolithic appearance.

Per Section 25.03.03.c.3(b)(ii) on corner lots exceeding 20,000 square feet in area, a building may be measured from either adjoining street grade. Height measurements have been taken from the Chapman Avenue frontage. Building I is proposed to be 74.2 feet tall and Building II is proposed to be 72.1 feet in height.

The building contains recesses and façade deviations that mitigate the massing of the structure. Additional breaks in the building wall create the appearance of varying height along the building walls.

Open Area

Open area is defined as an area of land associated with and located on the same tract of land as a major building or group of buildings providing light and air, scenic or recreational space or other similar purpose. In the MXTD Zone, a minimum of 15 percent of lot area must be devoted to open area. This application includes over 19 percent open area. (See Attachment #10.)

Public Use Space

Public Use Space is defined as an open area associated with and located on the same tract of land as a principal building or group of buildings providing light and air, recreational space, or other similar purpose. In the MXTD Zone, a minimum of 10 percent of the lot must be devoted to public use space unless the applicant opts for fee-in-lieu. This application includes nearly 11-1/2 percent public use space. Portions of the open space did not qualify for public use space because the shadow study (see Attachment #10) revealed that some areas do not receive direct sun for a cumulative total of at least two (2) hours between the hours of 8 a.m. and 4 p.m. on December 21st.

Neighborhood Compatibility

The immediate surrounding area is, at this point, mostly non-residential. Both single and multi-family residential is abundant west of Rockville Pike and to the north in the Twinbrook neighborhood, on the other side of the Metrorail tracks.

On the southern side of Rockville Pike, the single-unit dwellings are located in the Montrose neighborhood and multi-family is located in the apartments on the Congressional and Congressional Village shopping center properties. More multi-family units are located on the southern side of East Jefferson Street in the Congressional Towers, Rollins Park and Rollins Ridge apartments. Many of the residents of these developments walk along Halpine Road to the Metro Station. This development, along with the developments proposed at 1592 Rockville Pike and 1800 Rockville Pike would interject more of a residential feel to the area around the western side of the Twinbrook Metro station, providing a street life and common association with their neighbors to the south.

Design Guidelines

Design guidelines are included in the Zoning Ordinance as well as the 1989 Rockville Pike Corridor Neighborhood Plan. The guidelines and requirements, for example, address site design, landscaping, building features and massing, pedestrian and vehicular circulation in order to promote the highest quality of development in the Mixed Use Zones.

The application includes an interesting building design that includes recesses along the building walls and varying roof heights. **(See Attachment #13.)** Changing materials along with the fenestration above the first floor add visual interest. Building I has been designed to include a grand glass enclosed entry feature on the corner that is shared by Chapman Avenue and the interior roadway. The open space behind Building II will be heavily planted and will mature into a heavily wooded passive park-like space. The ground floor residential uses relate well to the public and private roadways that abut them through the proposed stoops and landscaping to the site, public sidewalks and building to meet the intent of the Design Guidelines.

Project Phasing

The project is proposed in two phases. A temporary parking lot is being proposed where Building II will be constructed at a later phase. In order to ensure that residents of Building I and the surrounding properties and roadways are not adversely impacted once construction begins on Phase II, staff is proposing a condition that requires that the applicant submit a construction phasing plan acceptable to the Chief of Planning prior to the Building Permit being released for Phase I/Building I.

Above-ground Transformer Waiver

The applicant is requesting an above-ground transformer waiver for the six transformers that are needed to power the site. The reasons cited for the above-ground installation is that there are existing easements along the CSX tracks and because the general area is located within an MDE Response Action Plan area.

The transformers are proposed behind Building I and are hidden behind an elaborate wall and gate system. Due to the grade change between the building and the private roadway, where it runs behind Building I and parallel to the railroad tracks, the transformers are proposed partially below grade. No portion of the transformers will be able to be seen above the height of the walls and doors. Softening of the design will be achieved through landscaping and tree planting. The proposed enclosure resembles many other types of enclosure that would be allowed by-right on the site. Therefore its use as a transformer enclosure rather than a trash enclosure, for example, does not seem to be a reason to disallow the above-grounding of the transformers. Staff also finds the design to be compatible and equal in quality to the proposed

building as well as the rest of the site. For these reasons, staff is recommending approval of the waiver request.

Landscaping, Screening and Lighting Manual

Landscaping and Screening Standards

A landscaping Plan must be submitted as part of the Level 2 Site Plan Application. The landscaping plan may be coordinated with the Forest Conservation Plan. The applicant has provided street trees, landscaped areas around the building, four courtyards for the residents. **(See Attachment #11).**

Lighting

The applicant will need to submit a lighting plan including photometrics once the Forest Conservation Plan is approved. Review at that time, will ensure that there is no conflict between the trees and the lighting being placed.

COMMUNITY OUTREACH

The applicant conducted the required Pre-application Area meeting on June 7, 2011, which 14 people attended. The applicant conducted the required post-application area meeting on January 12, 2012, which 14 people attended. Written notice for all public meetings was provided in compliance with the requirements of the Zoning Ordinance and Development Manual.

FINDINGS

A Site Plan application that does not implement a Project Plan or a Special Exception, may be approved only if the applicable Approval Authority finds that the application will not:

- a) Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed project;*

The development of this site with residential apartments will bring life to this site nearly 24 hours a day. The retail development closed down nearly 12 hours, leaving it vacant adjacent to Chapman Avenue, which is an important pedestrian route to the Metro station. Having residential apartments along Chapman Avenue should result in an added sense of security for pedestrians using this street. Therefore, instead of adversely affecting the health or safety of persons residing or working in the neighborhood of the proposed project, their health and safety should be improved.

- b) *Be detrimental to the public welfare or injurious to property or improvements in the neighborhood;*

The redevelopment of this property changes it from a retail building with a vast parking lot to a development that is built to the scale envisioned by the Master Plan. Its location provides residents with the ability to live within 500 feet of the Metro station where they can take advantage of available public transportation. The density with 658 multi-unit residential apartments is significant but the impacts associated with traffic have been evaluated and compensatory mitigation is being conditioned upon approval. Better sidewalks are proposed around the site for pedestrian activity. The trees being planted on the site are a vast improvement over the existing perimeter and parking lot island trees currently located on site. Since no detrimental aspects have been identified with respect to the proposed development and since it affords improvements to the site and the area around it, while complying with the requirements of the Zoning Ordinance and the Master Plan, the development, as proposed, will not be detrimental to the public welfare or injurious to property or improvement in the neighborhood.

- c) *Overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;*

As noted above, the school capacity is under the set limit of 110% of capacity, including the reserved capacity for the two surrounding City projects that have recently been approved. Further, adding in the approved projects does not cause the capacity in the Farmland Elementary, Tilden Middle, and Walter Johnson High Schools to exceed the 110% capacity limitation.

No significant impacts on emergency services are anticipated as a result of this project. Station 23 is located on Rollins Avenue, very close to this site. Further, none of the uses proposed with this mixed-use project are considered high risk and do not require full response from three stations within 10 minutes.

Full compliance with the Department of Public Works requirements will ensure that there is no impact on public sewer and water facilities as a result of this development. The sewer and water improvements necessary to accommodate this project as well as the projects at 1592 and 1800 Rockville Pike will actually improve the public sewer and water facilities in the area.

Mitigation for all traffic impact has been identified and will need to be permitted and completed prior to occupancy of any portion of either building.

Based on the above, the proposed development will not overburden existing and programmed public facilities as set forth in Article 20 of this Chapter and as provided in the adopted Adequate Public Facilities Standards;

d) Adversely affect the natural resources or environment of the City or surrounding areas;

The site is currently developed with a single retail building with a surface parking lot. There is minimal existing landscaping and trees are limited to the area around the perimeter of the property and within parking islands. There are no streams, habitat, or natural resources located on the property. No other environmental concerns are known that would affect the natural resources or environment in the surrounding area. The proposal will also add significant tree cover to the site. As a result, the proposed development will not adversely affect the natural resources or the environment of the City or surrounding areas.

e) Be in conflict with the Plan;

The proposed development is not in conflict with the Plan. It implements development in keeping with the proposals suggested for the area around the Twinbrook Metro Station. It is believed that the proposal improves pedestrian circulation and employs urban design principles to create an attractive streetscape. It contains a development with a strong residential component within the Metro Performance District, improves the physical appearance of the property, is ideally sited for public transit usage, improves pedestrian and bicycle circulation and conditions are being recommended to implement improvements to ease traffic congestion. Except for the conflict noted in the Master Plan section of this report, the parking complies with the requirements of the Zoning Ordinance. Should the Planning Commission determine that the amount of parking does not comply with the Master Plan, it is within their authority to reduce the number of parking spaces provided. Either way the proposed development will not be in conflict with the Plan because the Zoning Ordinance, in essence, implements the Master Plan. As a result, the proposed application will not be in conflict with the Plan.

f) Constitute a violation of any provision of this this Chapter (the Zoning Ordinance) or other applicable law; or

The project has been carefully reviewed and it meets the requirements of the Zoning Ordinance. As noted in the various sections above, the forestry, transportation and sewer and water requirements are being met. Since all aspects have been reviewed and addressed either through the site layout and design, mitigation, or conditions, the proposed development will not constitute a violation of any provision of the Zoning Ordinance or other applicable law.

g) Be Incompatible with the surrounding uses or properties.

The proposed use of the property is in compliance with the permitted uses contained in the Zoning Ordinance. Further, it proposes development in keeping with the 1989 Rockville Pike Corridor Plan and the Master Plan by proposing multi-unit dwellings in an area designated for higher density development. The property is also located along a pedestrian route for occupants of the surrounding neighborhoods between their homes and the Metro Station. Developing this property with a use that will provide occupancy 24 hours a day will serve to enhance the surrounding communities. As a result, the proposed development will not be incompatible with the surrounding uses or properties.

CONDITIONS

1. Submission, for approval of the Chief of Planning, of twelve (12) copies of the site plan (on sheets no larger than 24 inches by 36 inches).
2. Submission, for the approval of the Chief of Planning, of twelve (12) copies of the architectural plans (on sheets no larger than 24 inches by 36 inches).
3. Submission, for the approval of the Chief of Planning, of twelve (12) copies of a coordinated detailed landscaping plan (on sheets no larger than 24 inches by 36 inches).
4. Submission, for the approval of the Chief of Planning, of a construction phasing plan to determine site functionality and impact on the surrounding area during Phase II of the project. The plan must be submitted and approved prior to the release of the Building Permit for Phase I/Building I.

Forestry

5. In accordance with the requirements of the Forest and Tree Preservation Ordinance, the applicant shall submit for review and approval a Final Forest Conservation Plan (FCP) and obtain a Forestry Permit (FTP) prior to release of the Building permit.
 - a) Comply with the Preliminary FCP approval letter dated June 20, 2012.
 - b) The Final FCP shall be consistent with the Preliminary FCP and Landscape Plan.
 - c) The Final FCP will be reviewed concurrently with the detailed engineering drawings that are submitted to the Department of Public Works.
 - a. Street tree types and locations along the Chapman and Thompson Avenue rights-of-way will be determined at detailed engineering review and permitted under the Public Works permit (PWK) issued by the Department of Public Works.
6. The applicant must execute and record among the Land Records an amended Forest Conservation Easement and Declaration of Covenants in a form suitable to the City prior to issuance of the Forestry permit.

7. The applicant must execute a Five-year Warranty and Maintenance Agreement in a form suitable to the City prior to issuance of the Forestry permit.
8. The applicant must post a bond or letter of credit approved by the City prior to issuance of the Forestry permit.

Department of Public Works

9. Submission, for review, approval, and permit issuance by the Department of Public Works (DPW), of the following detailed engineering plans, studies and computations, appropriate checklists, plan review and permit applications and associated fees:
 - a) Stormwater Management (SWM) Plans;
 - b) Sediment Control Plans for all disturbed areas;
 - c) Public Improvement Plans.
 - d) All detailed engineering plans must be submitted on 24" x 36" sheets at 1" = 30' scale.
10. Submission, for review and approval by the City Attorney's office prior to DPW permit issuance, all necessary deeds, easements, dedications, and declarations.
11. Comply with conditions of Development SWM Concept Approval Letter dated June 12, 2012.
12. Comply with conditions of Water and Sewer Authorization Letter dated June 18, 2012.
13. Post financial securities based on the approved construction estimate in a format acceptable to the City Attorney. Approval is coordinated through DPW staff.
14. Obtain all required permits from any agencies or jurisdictions, including WMATA and Montgomery County, for any work within their easements or public rights-of-way.

Traffic/Pedestrian Circulation and Traffic Mitigation

15. The applicant shall provide hardscape along Thompson and Chapman Avenues when adjacent to parallel parking. When there is no parallel parking on these streets, the applicant will be permitted to provide a tree lawn. The design of the hardscape shall be approved by Department of Public Works prior to issuance of the public works permit.
16. All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or walkway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief, Traffic and Transportation Division. (This plan shall be approved and included in the signature set.)
17. The applicant shall provide long-term (bicycle lockers) storage and short-term (bicycle racks) storage for two buildings as follows:
 - a. Building 1: 55 bicycle lockers (110 long-term spaces) and 4 bicycle racks (8 short-term spaces); and
 - b. Building 2: 57 bicycle lockers (114 long-term spaces) and 4 bicycle racks (8 short-term spaces).

A locked and covered bicycle room with racks or a bicycle locker is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location approved by DPW during the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.

18. The applicant shall submit for review and approval by DPW, a phasing plan for pedestrian access, construction access, staging and parking. A pedestrian access plan for the construction period shall include, but not be limited to, the methods of maintaining pedestrian safety and access on the existing sidewalks, temporary closing of sidewalks for work in the streetscape zone, and pedestrian detours, as well as efforts to minimize closure of sidewalks. This plan shall be approved prior to issuance of the building permit.
19. The Applicant must pay the City's Transportation Improvement Fee as provided in the Comprehensive Transportation Review (CTR). The fee is \$1.50 per square foot of non-residential gross floor area (\$7,728) and \$900 per multi-family unit (\$600,300). The total of \$608,028 must be paid prior to the issuance of the building permit.
20. The applicant shall install Washington Globe streetlight poles (M1925-37-14, Manufactured by Union Metal) with style "g" luminaire (100- watt HPS). The finish color of all external components shall be Federal Standard Color #14036, per Federal Standard 595a (1984). Final streetlight specifications, locations and spacing shall be approved by DPW during detailed engineering stage.
21. Permanent tie-backs are not permitted in the public right-of-way.
22. Locations of parking gates and/or booths at all garage entrances shall be approved by DPW prior to issuance of the building permit.
23. Submission, for review and approval by DPW, of the upgraded sidewalk section and the sidewalk finishes located within the public right-of-way and public sidewalk access easements on Chapman and Thompson Avenues sidewalks. The design shall be approved by DPW during the detailed engineering stage and will be permitted with the Public Improvement Plans.
24. The applicant shall prepare the following easements and maintenance agreements in a form acceptable to the City Attorney's office and record in the Montgomery County land records prior to the issuance of the building permit.
 - a. Thompson Avenue – A six foot wide public access easement (PAE) measured from the right-of-way line. A maintenance agreement is required for the entire upgraded sidewalk including the hardscape located adjacent to the parallel parking (see Condition #1)
 - b. Chapman Avenue – A 7-foot PAE measured from the right-of-way line. A maintenance agreement is required for the entire upgraded sidewalk including the hardscape located between the street parking and sidewalk adjacent to Building 1.
 - c. Service Drive (parallel to Thompson Avenue portion) – A 54 foot public access easement which includes the sidewalk, travel lanes and parking lanes.

- d. Service Drive (parallel to Chapman Avenue portion) – A 32 foot wide public access easement which includes the sidewalk and travel lanes.
- 25. Traffic Mitigation - The applicant shall design, construct and obtain permits from Montgomery County, State Highway Administration (SHA), and/or the City of Rockville as required to mitigate at the Twinbrook Parkway/Rollins Avenue and Rockville Pike intersection. The applicant will construct a westbound right turn lane along Rollins Avenue/Twinbrook Parkway to northbound Rockville Pike. The applicant will reconstruct a five foot wide sidewalk. Plans for the mitigation must be approved prior to the issuance of the building permit for the second building. Mitigation is required to be completed prior to issuance of the occupancy permit for the second building.
- 26. The applicant shall pay the County's Development Impact Tax, as applicable, subject to allowable credits allowed by Montgomery County, prior to issuance of the building permit. The applicant shall submit a receipt of payment to Inspection Services and Traffic and Transportation Division prior to issuance of the building permit.

Publicly Accessible Art in Private Development

- 27. The Applicant shall comply with the City's Publicly Accessible Art in Private Development Ordinance. Applicant must provide a concept plan for approval prior to issuance of a building permit and fulfill the art requirement prior to issuance of an occupancy permit for the building. The manual for this ordinance can be found on the City's website www.rockvillemd.gov, click on business.

General

- 28. That the applicant comply with Montgomery County's Solid Waste and Recycling requirements.
- 29. Permits for all signs must also be obtained from the Planning Division.
- 30. That any new transformers be placed underground, unless a waiver from the Planning Commission is granted.
- 31. That truck pick-up and delivery on-site is prohibited between 9:00 p.m. and 7:00 a.m. Monday through Friday and between 9:00 p.m. and 9:00 a.m. on Saturday, Sundays and federal holidays.
- 32. That the new buildings meet all applicable handicap-accessibility requirements of the State of Maryland and the Americans with Disabilities Act of the Federal Government, as well as all construction code requirements of the City of Rockville.
- 33. That Moderately Priced Dwelling Units (MPDUs), be provided in accordance with the requirements of the Moderately Priced Housing Ordinance.
- 34. The applicant shall sign and return the approval letter prior to the release of any permits.